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**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE-OPELOUSAS DIVISION**

ALVIN SERAILE

CRIMINAL ACTION NO. 01-60130
CIVIL ACTION NO. 07-1628

VERSUS

JUDGE MELANÇON

UNITED STATES OF AMERICA

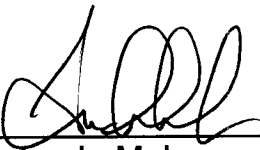
MAGISTRATE JUDGE METHVIN

JUDGMENT

This matter was referred to United States Magistrate Judge Mildred Methvin for Report and Recommendation. No objections have been filed. The Court concludes that the Report and Recommendation of the magistrate judge is correct and therefore adopts the conclusions set forth therein. Accordingly, it is

ORDERED that Alvin Seraile's motion under 28 U.S.C. §2255 is **DENIED AND DISMISSED WITH PREJUDICE** and his application for writ of mandamus is **DENIED AS MOOT**.

THUS DONE AND SIGNED this 9th day of October, 2008 at Lafayette, Louisiana.



Tucker L. Melançon
United States District Judge